



Crl.O.P.No.21452 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 498(A), 406, 323 and 506(ii) of I.P.C, in Crime No.13 of 2023 on the file of the respondent police, seek anticipatory bail.

2.It is stated that the petitioner herein and the de-facto complainant had married in the year 2013 and two girl children and one boy were born to them. The de-facto complainant had given a complaint that the petitioner had taken 25 sovereigns of gold. It was also stated that the petitioner had assaulted the de-facto complainant brutally and it had been stated that the petitioner had conducted himself in a manner not behoving of a father who has two girl children. It is stated that this behavior of the petitioner was questioned by the de-facto complainant which led to further quarrel.

3. My learned predecessor had referred the parties to mediation and it is stated that unfortunately, mediation did not produce any effective solution.



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4. It is also stated by the learned Government Advocate (Crl.Side) that the de-facto complainant, tried to commit suicide.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Metropolitan Magistrate Court No.X, Egmore, Chennai**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] The respondent-Inspector of Police, All Women Police Station, MBK Nagar, Chennai may also issue notice to the de-facto complainant and try to offer counselling to alleviate her grievances, particularly the suicide tendency which she apparently has;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.



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[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 229A IPC.

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